

District Judge Thomas S. Zilly

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JANE MUTHONI NDUNGU, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
STATE, *et al.*,

Defendants.

No. 2:23-cv-119-TSZ

STIPULATED MOTION TO HOLD
CASE IN ABEYANCE AND
[PROPOSED] ORDER

Noted for Consideration:
March 28, 2023

Plaintiffs brought this litigation pursuant to the Administrative Procedure Act seeking, *inter alia*, to compel the State Department to adjudicate E.W.M.’s immigrant visa application. The parties are currently working diligently towards a resolution to this litigation. For good cause, the parties request that the Court hold the case in abeyance until May 1, 2023.

Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ. P. 1.

1 With additional time, this case may be resolved without the need of further judicial
2 intervention. A consular officer interviewed E.W.M. on March 20, 2023. The consular officer
3 refused the visa application under § 221(g) of the Immigration and Nationality Act because E.W.M.
4 required a current medical exam report. Plaintiffs report that the medical exam is scheduled for
5 April 13, 2023. Once E.W.M. submits the required information, the consular officer can re-
6 adjudicate the immigrant visa application. The parties agree that this case will be moot once the re-
7 adjudication is conducted. To provide the time necessary to complete these steps, the parties request
8 that this Court to hold the case in abeyance.

9 The parties request that the Court hold the case in abeyance until May 1, 2023. The parties
10 will submit a joint status report on or before May 1, 2023.

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1 Dated: March 28, 2023

Respectfully submitted,

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8 *I certify that this memorandum contains 262 words,*
9 *in compliance with the Local Civil Rules.*

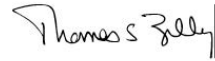
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[PROPOSED] ORDER

The case is held in abeyance until May 1, 2023. The parties shall submit a joint status report on or before May 1, 2023. It is so **ORDERED**.

DATED this 31st day of March, 2023.



THOMAS S. ZILLY
United States District Judge